



# California Fair Political Practices Commission

November 15, 1988

Betsy Starbuck  
P.O. Box 968  
Chino, California 91708

Re: Your Request for Information  
Our File No. A-88-401

Dear Ms. Starbuck:

You have requested advice on behalf of Larry Walker, San Bernardino County Supervisor, regarding his reporting requirements under the campaign disclosure provisions of the Political Reform Act (the "Act")<sup>1/</sup>.

## FACTS

Mr. Walker plans to terminate his current committee, Larry Walker Supervisor Committee, and organize a new committee, Friends of Larry Walker. The Larry Walker Supervisor Committee planned to deplete all funds during October 1988. Friends of Larry Walker qualified as a committee on October 3, 1988.

## QUESTIONS

1. When is the statement of termination (Form 415) for the Larry Walker Supervisor Committee required to be filed?
2. When is the statement of organization (Form 410) for the Friends of Larry Walker committee required to be filed?
3. How should the committees file the semi-annual campaign statements due on January 31, 1989?

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<sup>1/</sup> Government Code Sections 81000-91015. All statutory references are to the Government Code unless otherwise indicated. Commission regulations appear at 2 California Code of Regulations Section 18000, *et seq.* All references to regulations are to Title 2, Division 6 of the California Code of Regulations.

### CONCLUSION

1. The statement of termination (Form 415) for the "old" committee may be filed at any time after the committee meets the criteria set out in Regulation 18404 (copy enclosed). The original and one copy must be sent to the Secretary of State and a copy to the San Bernardino County Registrar of Voters. The copy filed with the San Bernardino County Registrar of Voters must include a completed campaign statement (Form 490) covering the period from the closing date of your last campaign statement through the date of termination. On the cover page of the Form 490, Part III, Friends of Larry Walker and any other committee which Mr. Walker controls and which is not included in the report must be listed.

2. The statement of organization (Form 410) for the "new" committee must be filed within 10 days of receiving \$1,000 or more. The original and one copy of the statement of organization must be filed with the Secretary of State and a copy with the San Bernardino County Registrar of Voters.

3. The Friends of Larry Walker Committee must file a campaign disclosure statement (Form 490) no later than January 31, 1989. This campaign statement must cover the period from January 1, 1988 through December 31, 1988. The Larry Walker Supervisor Committee must be listed in Part III of the cover page of the statements.

### ANALYSIS

Every committee must file a statement of organization (Form 410) within 10 days of receiving \$1,000 in contributions. (Section 84101.) Also, a recipient committee must file periodic campaign disclosure statements until it has filed a statement of termination (Form 415). (Section 84214; Regulation 18404.)

Regulation 18404 provides that a candidate, officeholder or recipient committee may terminate if it:

--Has ceased to receive contributions and make expenditures and does not anticipate receiving contributions or making expenditures in the future;

--Has eliminated or has declared that it has no intention or ability to discharge all of its debts, loans received and other obligations;

--Has no surplus funds; and

--Has filed all required campaign statements disclosing all reportable transactions.

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The original and one copy of the statement of organization and the statement of termination are required to be filed with the Secretary of State. In addition, a copy is required to be filed with the local filing officer. (Government Code Section 84101.)

Previously, we advised you that the Larry Walker Supervisor Committee should not terminate until after December 31, 1988, even though the committee has ceased to receive contributions and make expenditures. However, after further consideration, we conclude that the committee may terminate at any time as long as it meets the requirements for termination described above.

If you have any additional questions, please feel free to call me at (916) 322-5662.

Sincerely,

Diane M. Griffiths  
General Counsel



By: Alice Hughes  
Technical Assistance and  
Analysis Division

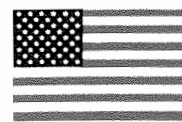
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Enclosure

elect

**Larry Walker**  
county supervisor

FPPC

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October 13, 1988

Alice Hughes, Technical Assistance  
Fair Political Practices Commission  
POB 807  
Sacramento CA 95804

Dear Ms. Hughes:

This letter is to confirm our conversation of Friday, October 7, 1988. I appreciate your time in researching the process by which the Larry Walker Supervisor Committee will terminate and the Friends of Larry Walker will begin.

In regard to the Larry Walker Supervisor Committee, it is my understanding that, although all funds probably will be expended by the end of October, you instructed me to file a Statement of Termination (Form 415), effective December 31, 1988, with the Secretary of State and a copy to the Registrar of Voters. Then, by January 31, 1989, a Semi-Annual Campaign Statement is to be filed for the period from July 1, 1988 through December 31, 1988.

The new committee, Friends of Larry Walker, will file a Statement of Organization (Recipient Committee, Form 410) within ten (10) days of receiving \$1,000 in contributions, with the original and one copy to the Secretary of State, and one copy to the Registrar of Voters. Then, by January 31, 1989, this committee will also file a Semi-Annual Campaign Statement for the period from July 1, 1988 through December 31, 1988, although it did not qualify as a committee until October 3, 1988.

If I misunderstood any part of our conversation, please let me know. Otherwise, I will follow your guidelines as instructed.

Sincerely yours,

*Betsy Starbuck*

BETSY STARBUCK

cc: James M. Garbo, Treasurer

**Larry Walker Supervisor Committee p.o. box 968 Chino, CA 91708**

**(714) 628-8000**



# California Fair Political Practices Commission

October 24, 1988

Betsy Starbuck  
Larry Walker Supervisor  
Committee  
P.O. Box 968  
Chino, CA 91708

Re: 88-401

Dear Ms. Starbuck:

Your letter requesting advice under the Political Reform Act was received on October 17, 1988 by the Fair Political Practices Commission. If you have any questions about your advice request, you may contact me directly at (916) 322-5662.

We try to answer all advice requests promptly. Therefore, unless your request poses particularly complex legal questions, or more information is needed, you should expect a response within 21 working days if your request seeks formal written advice. If more information is needed, the person assigned to prepare a response to your request will contact you shortly to advise you as to the information needed. If your request is for informal assistance, we will answer it as quickly as we can. (See Commission Regulation 18329 (2 Cal. Code of Regs. Sec. 18329).)

You also should be aware that your letter and our response are public records which may be disclosed to the public upon receipt of a proper request for disclosure.

Very truly yours,

*Jeanne Pritchard*  
Jeanne Pritchard  
Chief  
Technical Assistance and Analysis  
Division

JP:plh